

United States Bankruptcy Court
Eastern District of Pennsylvania

In re:
Regional Medical Transportation, Inc.
Debtor

Case No. 19-15513-amc
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0313-2

User: PaulP
Form ID: pdf900

Page 1 of 4
Total Noticed: 103

Date Rcvd: Jul 28, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 30, 2020.

db +Regional Medical Transportation, Inc., 1695 Huntingdon Road,
Huntingdon Valley, PA 19006-4412
aty +EVAN RASSMAN, C/O Jason T. LaRocco, Esq., 2929 Arch Street, Cira Centre, 13th Floor,
Philadelphia, PA 19104-7397
aty GARY BROWNSTEIN, Brownstein Vitale & Weiss, P.C., 1500 JFK Blvd. Suite 1020,
Two Penn Center, Philadelphia, PA 19102
aty +LogistiCare Solutions, LLC, Reger, Rizzo & Darnall, LLP, 2929 Arch Street, 13th floor,
Philadelphia, PA 19104-2857
cr +Commonwealth of PA UCTS, 651 Boas Street, Room 702, Harrisburg, PA 17121-0751
cr Elisa Ayala and Saul Santiago, 3277 Pennway Street, Philadelphia, PA 19124
cr +Patrick Pizzella, United States Department of Labor, 170 S. Independence Mall West,
Suite 630E, Philadelphia, PA 19106-3369
cr +Santander Consumer USA Inc., d/b/a Chrysler Capita, P.O. Box 961275,
Fort Worth, TX 76161-0275
NONE #+Wetzel Gagliardi Fetter & Lavin LLC, 101 E. Evans St., Ste. A, West Chester, PA 19380-2600
14384539 +Acting Secretary of Labor, c/o Geoffrey Forney, Esq., United States Department of Labor,
170 S. Independence Mall West, Suite 630, Philadelphia, PA 19106-3323
14386389 +Advanced Life Support Ambulance, Inc., 4055 Richmond St., Phila., PA 19137-1419
14386390 +Ahmed Fadol, 235 S. 45th St., Phila., PA 19104-5344
14386391 +Aigner Clark, 6936 Grosbeak Place, Phila., PA 19142-2507
14428537 +Aigner Clark, Todd Newman, Esq., 3 North 2nd Street, Philadelphia, PA 19106-2299
14430335 +Ally Bank, CO Regina Cohen, Esq., 190 North Independence Mall West,
6th and Race Sts, Suite 500, Philadelphia PA 19106-1554
14386396 +Angel Lagomasini, 1421 Hunting Park Ave., Phila., PA 19124-4932
14386397 +Anthony G. Smith, 5728 Cottage St., Apt. B-2, Phila., PA 19135-4054
14386398 +Azalia Rhodes, 2127 North Marsten St., Phila., PA 19121-1229
14386399 +Brea Douglas, 8423 Williams Ave., Phila., PA 19150-1920
14443977 +COMMONWEALTH OF PA UCTS, DEPARTMENT OF LABOR AND INDUSTRY, COLLECTIONS SUPPORT UNIT,
651 BOAS STREET, ROOM 925, HARRISBURG, PA 17121-0751
14386400 +Carter Gupton, 730 E. Thayer St., Phila., PA 19134-1814
14386401 +Champion/Sloane Toyota, 1546 Cottman Ave., Phila., PA 19111-3710
14386403 +Chanell Cole, 5229 Oakland St., Phila., PA 19124-1813
14386404 +Cheryl A. Horton, 2412 Wharton St., Phila., PA 19146-4027
14386405 +Christopher Brown & Towanda Jefferson, 2900 N. Ringgold St., Phila., PA 19132-1907
14386406 Chrysler Capital, PO Box 660335, Dallas, TX 75266-0335
14403217 +Chrysler Capital, P.O. Box 961275, Fort Worth, TX 76161-0275
14522868 +City of Phila and/or Water Revenue, c/o Pamela Elchert Thurmond, Esq.,
Municipal Services Building, 1401 JFK Boulevard, 5th Floor, Philadelphia, PA 19102-1617
14408003 +Elisa Ayala, c/o Gary Brownstein, Esq., 1500 JFK Blvd., Suite 1020,
Philadelphia, PA 19102-1741
14386411 Elisa Ayala & Saul Santiago, 3277 Pennway St., Phila., PA 19124
14386412 #+Evelyn Pantoja, 2443 N. 11th St., Apt. 401, Phila., PA 19133-1435
14385282 ++FORD MOTOR CREDIT COMPANY, P O BOX 62180, COLORADO SPRINGS CO 80962-2180
(address filed with court: Ford Motor Credit Company LLC, P.O. Box 62180,
Colorado Springs, CO 80962-2180)
14386413 #+Faisal Abdelaal, 1250 Providence Road, 94-A, Secane, PA 19018-2807
14386414 +First Insurance Funding, 450 Skokie Boulevard, Suite 1000, Northbrook, IL 60062-7917
14386415 Ford Motor Credit, PO Box 6508, Mesa, Arizona 85216-6508
14386416 Ford Motor Credit, PO Box 6508, Mesa, AZ 85216-6508
14387481 +Ford Motor Credit Company, LLC, c/o Howard Gershman, Esq., 610 York Road, Suite 200,
Jenkintown, PA 19046-2867
14386418 +Gallagher Law PC, Attention: David Temple, Esq., 1600 Market St. - Ste. 1320,
Phila., PA 19103-7245
14416674 +Gallagher Law, P.C., 1600 Market Street, Suite 1320, Philadelphia, PA 19103-7245
14386419 +Gerson Francois, 1021 Rosalie St., Phila., PA 19149-3625
14386422 +Imperial PFS Corp., 30 Montgomery Street, Suite 501, Jersey City, NJ 07302-3821
14386425 +James Price, 1109 W. Silver St., Phila., PA 19133-1216
14422271 +Jason H. Harbour, Esq., 951 East Byrd Street, Richmond, VA 23219-4040
14386428 +KTV LLC, 5598 Newtown Avenue, Phila., PA 19120-1600
14386427 +Kareem Brantley, 4741 Mulberry St., Phila., PA 19124-5725
14385271 +Kevin P. Callahan, Esq., Office of the United States Trustee,
200 Chestnut Street, Suite 502, Philadelphia, PA 19106-2908
14386429 +Kyle Williams, 2061 E. Clementine St., Phila., PA 19134-3834
14386430 +Lavon Outerbridge, 1630 N. Newkirk St., Phila., PA 19121-2713
14415814 +LogistiCare Solution, LLC, c/o Jason T. LaRocco, Esquire, Reger, Rizzo & Darnall, LLP,
2929 Arch Street, Cira Centre 13th Floor, Philadelphia, PA 19104-2899
14386431 +Maksim Bondarev, 2209 Berwyn Place, Phila., PA 19115-3306
14386432 +Maria Bloshkina, 1735 B Rachael St., Phila., PA 19115-4273
14386433 +Mariya Broymtan, 1695 Huntingdon Road, Huntingdon Valley, PA 19006-4412
14386434 +Mary Smith, 834 E. Thayer St., Phila., PA 19134-1912
14386435 +Milton Brown, 2321 W. Tioga St., Phila., PA 19140-3808
14386436 +Nade Broymtan, 29 Beechwood Blvd., Feasterville, PA 19053-4471
14386437 +Nikanor Broymtan, 1695 Huntingdon Road, Huntingdon Valley, PA 19006-4412
14386438 +One EZ Life, Inc., 1695 Huntingdon Road, Huntingdon Valley, PA 19006-4412

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14386442 PNC Bank, P.O.Box 856177, Louisville, KY 40285-6177
14418203 +PNC Bank, National Association, PO Box 94982, Cleveland OH 44101-4982
14386092 +Patrick Pizzella, Acting Secretary of Labor, c/o Matthew R. Epstein, Esq.,
170 S. Independence Mall West, Suite 630E, The Curtis Center, Philadelphia, PA 19106-3323
14386439 Penna. Dept of Revenue/Bankruptcy, Department 280946, Harrisburg, Pennsylvania 17128-0946
14386440 Penna. Turnpike Commission, P.O. Box 67676, Harrisburg, PA 17106-7676
14386443 +Ralph T. Pecca, 2151 Route 38 Street, #315, Cherry Hill, NJ 08002-4224
14386444 +Reliant Transportation Inc., 2711 N. Haskell Ave., Ste. 1500, Dallas, TX 75204-5903
14422272 +Reliant Transportation, Inc., Jason W. Harbour, Esq., Hunton Andrews Kurth LLP,
951 East Byrd Street, Richmond, VA 23219-4038
14386445 +Salliyyah McNatte, 5918 Tackawanna St., Phila., PA 19135-3924
14419126 +Santander Consumer USA Inc. dba Chrysler Capital, CO William E. Craig, Esq., Morton & Craig,
110 Marter Ave, Suite 301, Moorestown, NJ 08057-3125
14407524 +Sterling National Bank, c/o Yonit A. Caplow, Esq., Dilworth Paxson LLP,
1500 Market Street, Suite 3500 E, Philadelphia, PA 19102-2100
14477810 +TOYOTA MOTOR CREDIT CORPORATION, PO BOX 8026, CEDAR RAPIDS IA 52408-8026
(address filed with court: Toyota Financial Services, P.O. Box 15012,
Chandler, AZ 85244-5012)
14386448 +Taugvan Leonard, 3462 N. Lee St., Phila., PA 19134-1638
14492132 +Toyota Motor Credit Corporation, PO Box 9013, Addison, Texas 75001-9013
14494155 +Toyota Motor Credit Corporation, c/o Rebecca A. Solarz, Esq., KML Law Group, PC,
701 Market Street, Suite 500, Philadelphia, PA 19106-1538
14493863 +Toyota Motor Credit Corporation, C/O KML Law Group, 701 Market Street Suite 5000,
Philadelphia, PA. 19106-1541
14477093 +Trinidad Delacruz, 3504 Morrell Avenue, Philadelphia, PA 19114-1919
14386449 +Trinidad Delacruz, 3504 Morrell Ave., Phila., PA 19114-1919
14477094 +Trinidad Delacruz, c/o Jeffrey M. Rosenbaum, Esq., 1818 Market St., Ste. 3200,
Philadelphia, PA 19103-3632
14386450 +Tyheem Richburg, 5513 Summer Place, Phila., PA 19139-2037
14404649 +U.S. Department of Labor, Wage and Hour Division, c/o Matthe R. Epstein, Trial Attorney,
170 S. Independence Mall W., Suite 630E, Philadelphia, PA 19106-3369
14386451 +US Dept. of Labor, Office of the Solicit, Attn: Matthew R. Epstein,
170 S. Independence Mall West, Phila., PA 19106-3389
14386452 +Vehicle Maintenance, LJ Auto Body and Repair, 1907 N. 2nd Street, Phila., PA 19122-2308
14386453 +Vlad Broymtman, 29 Beechwood Blvd., Feasterville, PA 19053-4471
14386454 +Wanda Howe, 2816 N. 22nd St., Phila., PA 19132-2625
14386455 +Windsor Jewels of Penna., DBA Diamond Check Cashing, 4034 Veterans Hwy.,
Levittown, PA 19056-3411

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
smg

E-mail/Text: megan.harper@phila.gov Jul 29 2020 04:37:00 City of Philadelphia,
City of Philadelphia Law Dept., Tax Unit/Bankruptcy Dept, 1515 Arch Street 15th Floor,
Philadelphia, PA 19102-1595
smg E-mail/Text: sbse.cio.bnc.mail@irs.gov Jul 29 2020 04:36:37 Internal Revenue Service,
P.O. Box 7346, Philadelphia, PA 19101-7346
smg E-mail/Text: RVSVBICNOTICE1@state.pa.us Jul 29 2020 04:36:48
Pennsylvania Department of Revenue, Bankruptcy Division, P.O. Box 280946,
Harrisburg, PA 17128-0946
smg +E-mail/Text: usapae.bankruptcynotices@usdoj.gov Jul 29 2020 04:36:54 U.S. Attorney Office,
c/o Virginia Powel, Esq., Room 1250, 615 Chestnut Street, Philadelphia, PA 19106-4404
cr +E-mail/Text: ally@ebn.phinsolutions.com Jul 29 2020 04:36:31 Ally Bank,
serviced by Ally Servicing LLC, PO Box 130424, Roseville, MN 55113-0004
cr E-mail/Text: megan.harper@phila.gov Jul 29 2020 04:36:59 CITY OF PHILADELPHIA,
Tax & Revenue Unit, 1401 JOHN F. KENNEDY BLVD., 5TH FLOOR, Major Tax Litigation Division,
Philadelphia, PA 19102-1595
cr +E-mail/Text: ipfscollectionsreferrals@ipfs.com Jul 29 2020 04:37:01 IPFS Corporation,
30 Montgomery Street, Suite 501, Jersey City, NJ 07302-3821
14421554 E-mail/Text: ebnbankruptcy@ahm.honda.com Jul 29 2020 04:36:51
American Honda Finance Corporation, National Bankruptcy Center, P.O. Box 168088,
Irving, TX 75016-8088
14386395 E-mail/Text: ally@ebn.phinsolutions.com Jul 29 2020 04:36:31 Ally,
Payment Processing Center, PO Box 78234, Phoenix, AZ 85062-8234
14386393 +E-mail/Text: ally@ebn.phinsolutions.com Jul 29 2020 04:36:31 Ally,
Payment Processing Ctr., PO Box 78234, Phoenix, AZ 85062-8234
14386392 E-mail/Text: ally@ebn.phinsolutions.com Jul 29 2020 04:36:31 Ally, PO Box 78234,
Phoenix, AZ 85062-8234
14417670 E-mail/Text: ally@ebn.phinsolutions.com Jul 29 2020 04:36:31 Ally Bank, PO Box 130424,
Roseville, MN 55113-0004
14386408 E-mail/Text: Bankruptcy.RI@Citizensbank.com Jul 29 2020 04:36:33 Citizens One,
Consumer Loan Servicing - JCB210, PO Box 42033, Providence, RI 02940-2033
14396600 E-mail/Text: Bankruptcy.RI@Citizensbank.com Jul 29 2020 04:36:33 Citizens Bank N.A.,
One Citizens Bank Way, JCA115, Johnston R.I. 02919
14391700 E-mail/Text: megan.harper@phila.gov Jul 29 2020 04:37:00
City of Philadelphia Law Department, Tax & Revenue Unit, Bankruptcy Group, MSB,
1401 John F. Kennedy Blvd., 5th Floor, Philadelphia, PA 19102-1595
14386409 +E-mail/Text: megan.harper@phila.gov Jul 29 2020 04:37:00
City of Philadelphia Dept. of Revenue, Municipal Svcs. Bldg., 1401 John F. Kennedy Blvd.,
Phila., Pennsylvania 19102-1617
14386420 +E-mail/Text: ebnbankruptcy@ahm.honda.com Jul 29 2020 04:36:51 Honda Fin. Svcs.,
PO Box 166469, Irving, TX 75016-6469

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Total Noticed: 103

Date Rcvd: Jul 28, 2020

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

14489498 +E-mail/Text: ustpregion03.ph.ecf@usdoj.gov Jul 29 2020 04:36:49
Office of the United States Trustee, c/o George M Conway, Esq.,
200 Chestnut Street, Suite 502, Philadelphia, PA 19106-2908
14386441 +E-mail/Text: bankruptcy@philapark.org Jul 29 2020 04:37:05 Phila. Parking Authority,
701 Market St, Ste. 5400, Phila., PA 19106-2895
14522666 +E-mail/Text: megan.harper@phila.gov Jul 29 2020 04:36:59 The City of Philadelphia,
c/o Pamela Elchert Thurmond, Esq., City of Philadelphia Law Department,
Municipal Services Building, 1401 JFK Boulevard, 5th Floor, Philadelphia, PA 19102-1617
TOTAL: 20

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****
14421537 Sterling National Bank, f/k/a Advantage Funding Co
cr* ++FORD MOTOR CREDIT COMPANY, P O BOX 62180, COLORADO SPRINGS CO 80962-2180
(address filed with court: Ford Motor Credit Company, LLC, P.O. Box 62180,
Colorado Springs, CO 80921)
14386394* Ally, Payment Processing Ctr., PO Box 78234, Phoenix, AZ 85062-8234
14396601* ++CITIZENS BANK N A, ATTN BANKRUPTCY TEAM, ONE CITIZENS BANK WAY, JCA115,
JOHNSTON RI 02919-1922
(address filed with court: Citizens Bank N.A., One Citizens Bank Way, JCA115,
Johnston R.I. 02919)
14386402* +Champion/Sloane Toyota, 1546 Cottman Ave., Phila., PA 19111-3710
14386407* +Chrysler Capital, PO Box 660335, Dallas, TX 75266-0335
14386681* ++FORD MOTOR CREDIT COMPANY, P O BOX 62180, COLORADO SPRINGS CO 80962-2180
(address filed with court: Ford Motor Credit Company, LLC, P.O. Box 62180,
Colorado Springs, CO 80921)
14386417* +Ford Motor Credit, PO Box 6508, Mesa, AZ 85216-6508
14386421* Honda Fin. Svcs., PO Box 166469, Irving, TX 75016-6469
14386424* IRS, Centralized Insolvency Operation, PO Box 7346, Philadelphia, Pennsylvania 19101-7346
14493702* +Toyota Motor Credit Corporation, PO Box 9013, Addison, Texas 75001-9013
14519936* +United States of America, Small Business Administration, c/o Anthony St. Joseph, Esq.,
615 Chestnut Street, Suite 1250, Philadelphia, PA 19106-4404
14386410 ###Derrick Elrod, 3530 Braddock St., Phila., PA 19134-2124
14386423 ###Irina Yelantseva, 1026 Riverside Dr., Phila., PA 19154-1661
14386426 ###Jose Centeno, 176 W. Wishart St., Phila., PA 19133-3934
14386446 ###Sterling National Bank, 1 Marcus Ave., Lake Success, NY 11042-1137
14386447 ###Sterling National Bank, 1 Marcus Ave., Lake Success, NY 11042-1137
TOTALS: 1, * 11, ## 5

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.
While the notice was still deliverable, the notice recipient was advised to update its address with the court
immediately.

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices
will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The
debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 30, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 28, 2020 at the address(es) listed below:

ALLEN B. DUBROFF on behalf of Debtor Regional Medical Transportation, Inc.
allen@dubrofflawllc.com, adminassistant@dubrofflawllc.com, john@dubrofflawllc.com,
sherri@dubrofflawllc.com
ALLEN B. DUBROFF on behalf of Creditor Elisa Ayala and Saul Santiago allen@dubrofflawllc.com,
adminassistant@dubrofflawllc.com, john@dubrofflawllc.com, sherri@dubrofflawllc.com

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The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system (continued)

ANTHONY ST. JOSEPH on behalf of Creditor United States of America on behalf of SBA
anthony.stjoseph@usdoj.gov, mardella.suarez@usdoj.gov, CaseView.ECF@usdoj.gov
GEORGE M. CONWAY on behalf of U.S. Trustee United States Trustee george.m.conway@usdoj.gov
HOWARD GERSHMAN on behalf of Creditor Ford Motor Credit Company, LLC hg229ecf@gmail.com,
229ecf@glpoc.comcastbiz.net
JASON T LAROCCO on behalf of Attorney LogistiCare Solutions, LLC jlarocco@regerlaw.com
JOHN A. GAGLIARDI on behalf of Debtor Regional Medical Transportation, Inc.
jgagliardi@wgflaw.com
JOHN A. GAGLIARDI on behalf of Wetzel Gagliardi Fetter & Lavin LLC jgagliardi@wgflaw.com
JOHN C. KILGANNON on behalf of Interested Party Republic First Bank jck@stevenslee.com,
pam@stevenslee.com
KEVIN P. CALLAHAN on behalf of U.S. Trustee United States Trustee kevin.p.callahan@usdoj.gov
MATTHEW R. EPSTEIN on behalf of Creditor Patrick Pizzella epstein.matthew.r@dol.gov
NATHALIE PAUL on behalf of Creditor Citizens Bank, N.A. npaul@weltman.com,
pitecf@weltman.com
PAMELA ELCHERT THURMOND on behalf of Creditor CITY OF PHILADELPHIA pamelathurmond@phila.gov,
karena.blaylock@phila.gov
REBECCA ANN SOLARZ on behalf of Creditor Toyota Motor Credit Corporation
bkgroup@kmlawgroup.com
REGINA COHEN on behalf of Creditor Ally Bank rcohen@lavin-law.com, ksweeney@lavin-law.com
United States Trustee USTPRegion03.PH.ECF@usdoj.gov
WILLIAM EDWARD CRAIG on behalf of Creditor Santander Consumer USA Inc., d/b/a Chrysler
Capital ecfmail@mortoncraig.com, mhazlett@mortoncraig.com; mortoncraigeef@gmail.com
YONIT A. CAPLOW on behalf of Creditor Sterling National Bank, f/k/a Advantage Funding
Commercial Capital Corp. ycaplow@dilworthlaw.com, cchapman-tomlin@dilworthlaw.com,
cct@dilworthlaw.com; mdolan@dilworthlaw.com

TOTAL: 18

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In Re:	:	Chapter 11
	:	
REGIONAL MEDICAL	:	
TRANSPORTATION, INC.	:	Case No. 19-15513-amc
	:	
Debtor	:	

**ORDER DISMISSING CASE PURSUANT TO 11 U.S.C. SECTIONS
1112(b), 305(a) AND 105(a) AND GRANTING RELATED RELIEF**

WHEREAS, Regional Medical Transportation, Inc. (the “Debtor”) filed a voluntary Petition under Chapter 11 of the United States Bankruptcy Code on September 19, 2019, which initiated the above-captioned bankruptcy case (the “Bankruptcy Case”); and

WHEREAS, on or about March 13, 2020, the Debtor ceased operating the bulk of its business in anticipation of Governor Wolf’s March 19, 2020 Order prohibiting, among other things, the Debtor’s continued operations as a result of the COVID-19 pandemic; and

WHEREAS, the majority of the Debtor’s business continues to be shut down to date but is anticipated to resume operations if/when state operated facilities re-open and the Debtor’s services are again needed to transport students; and

WHEREAS, the Debtor submitted an application on June 29, 2020 (the “PPP Application”) and subsequently obtained a Paycheck Protection Program loan (the “PPP Loan”) from Republic First Bank (“Republic Bank”), guaranteed by the United States Small Business Administration (“SBA”), in the amount of \$107,860.00 in unsecured

funding ("PPP Funds"), which amount the Debtor anticipated would be forgiven in accordance with the terms of the Paycheck Protection Program (the "Program"); and

WHEREAS, on July 9, 2020, the Debtor filed a Motion to Obtain Unsecured Post-Petition Financing *Nunc Pro Tunc* pursuant to 11 U.S.C. Section 364(b) ("Motion"); and

WHEREAS, on July 15, 2020, a hearing on the Motion was held on an expedited basis wherein the Debtor, the United States Department of Labor ("DOL"), Republic Bank and the SBA (collectively, "Parties") appeared, and wherein Republic Bank and the SBA objected to the Debtor's use of the PPP Funds for reasons stated at the hearing, including the Debtor's bankruptcy status and SBA guidelines prohibiting debtors in bankruptcy from obtaining a PPP loan; and

WHEREAS, on July 16, 2020, pursuant to the Parties' agreement and the Court's direction at the hearing on the Motion, the PPP Funds were removed from the Debtor's DIP account and placed into an escrow account held by Republic Bank pending entry of this Order; and

WHEREAS, the Debtor wishes to obtain a PPP loan, consistent with existing SBA guidelines and regulations, prior to the Program's current August 8, 2020 deadline, and in order to timely do so, the Parties have agreed that: (i) the Debtor will dismiss the Bankruptcy Case, without prejudice, (ii) the PPP Loan will be cancelled, rescinded and annulled, *nunc pro tunc*, as if the Loan was never made; (iii) the PPP Funds will be immediately returned to Republic Bank; and (iv) the Debtor will submit a new PPP application for consideration.

WHEREAS, the Debtor may have to file a new bankruptcy petition on its behalf if a PPP loan is not obtained or after a PPP loan is obtained in order to further re-organize;

WHEREAS, the Parties recognize the time, cost, inconvenience and uncertainty associated with pursuing and/or defending against the pending Motion, and instead desire to settle their disputes without admitting any of the allegations made against them on the terms and conditions set forth in this Order;

NOW, THEREFORE, with the foregoing background deemed incorporated herein by reference as if set forth at length, it is hereby **ORDERED** as follows:

1. The PPP Application and PPP Loan are hereby cancelled, annulled and/or rescinded *nunc pro tunc* to the application date as if the PPP Application was never submitted and the PPP Loan had never existed;

2. The PPP Funds presently held in escrow shall be immediately released and returned to Republic Bank in order to effectuate the terms of this Order, and there shall be no further amount due to or from Republic Bank, the SBA and/or or the Debtor relating to the PPP Application and/or PPP Loan;

3. The Bankruptcy Case is hereby dismissed without prejudice or bar against filing a new bankruptcy petition at any time and without leave of Court;

4. Immediately upon entry of this Order, the Debtor shall be permitted to submit a timely application for a Paycheck Protection Program loan (the "New Application") pursuant to the Program's terms, and the New Application shall not be prohibited or prejudiced solely on the basis that the Debtor submitted the PPP Application and/or received the PPP Loan;

5. The United States Department of Labor shall not be permitted to initiate or otherwise attempt to collect any amount due from the Debtor unless the Debtor is in default pursuant to the terms of this Order;

6. The Debtor shall commence monthly payments to the DOL as follows:

(a) \$1,500.00 on or before October 7, 2020;

(b) \$1,500.00 on or before November 7, 2020;

(c) \$1,500.00 on or before December 7, 2020;

(d) \$4,000.00 on or before January 7, 2021 and continuing monthly in the same amount, payable on the 7th of every subsequent month through and including June, 2021;

(e) \$5,000.00 on or before July 7, 2021, and continuing monthly in the same amount, payable on the 7th of every subsequent month, until full payment of the amount due to the DOL has been received from the Debtor or any obligor inclusive of all pre- and post-petition amounts paid by the Debtor, at which time any and all amounts due to the DOL shall be deemed satisfied and paid in full;

(f) The Debtor retains its rights to object to or otherwise dispute the DOL's proof of claim in any future bankruptcy proceeding.

7. Debtor shall not pay any wages or distribution to Mariya Broytman unless and until any and all amounts due to the DOL have been satisfied in accordance with this Order;

8. Debtor is authorized to employ and compensate Nade Broytman and Vladislav Broytman at the rate of no more than \$30,000.00 gross compensation per individual, per year.

9. Debtor shall not increase any wages or distributions to Nickanor Broytman or other members of his family above the last amounts approved by the Bankruptcy Court until any and all amounts due to the DOL have been satisfied in accordance with this order.

10. Within fifteen (15) days after written request in accordance with paragraph 11 herein, the DOL may obtain a monthly operating report consistent in form to those filed in this bankruptcy proceeding;

11. If payment in accordance with paragraph 6 of this Order is not received by the 15th day of the month in which it is due, or if the Debtor breaches any provision, term or condition of this Order, then the DOL shall notify the Debtor of its default at its address of record by U.S. Mail or private carrier with delivery confirmation. The Debtor shall have an additional fifteen (15) days from the confirmed date of delivery to cure the default. If the default is not cured within that period, the DOL is no longer bound by the terms of this Order and may pursue any and all of its available remedies;

12. Republic Bank, the SBA and the Debtor agree that, upon entry of this Consent Order, there shall be no further obligations, monetary or otherwise, due and payable to each other arising from or relating to the PPP Application, the PPP Loan and the PPP Funds; and Republic Bank, the SBA and the Debtor, together with their successors and assigns, agree to mutually release each other for good and valuable consideration, receipt and sufficiency of which is acknowledged, and do hereby forever remise, release and forever discharge each other, their successors, heirs, executors and administrators, from any and all actions and causes of actions, suits, debts, dues, accounts, bonds, covenants, contracts, agreements, judgments, claims, and demands

whatsoever in law or in equity, known or unknown, which Republic Bank, the SBA and the Debtor, their successors or assigns, or any of them, hereinafter can, shall or may have, for or by reason of any claim, cause of action or interest relating to and/or arising from the PPP Application, the PPP Loan, the PPP Funds, the Motion, this Consent Order and/or the Bankruptcy Case.

13. This Order shall be binding upon the parties hereto, their respective heirs, successors, assigns, executors, administrators, and legal and personal representatives;

14. To the extent applicable, the 14-day stay provided by Rule 4001(a)(3) and any and all appeals periods are hereby waived such that this is a final Order.

15. Upon entry of this Order, the Debtor may submit a New Application prior to the Program's current application deadline of August 8, 2020; and

16. The Debtor is indebted to the United States Trustee in the sum of \$2,275.00 for outstanding quarterly fees pursuant to 28 U.S.C. Section 1930(a)(6).

BY THE COURT



ASHELY M. CHAN
U.S. BANKRUPTCY JUDGE

Date: July 28, 2020